

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/529401

Applicant(s) Christy LUDLOW et al.

Appl. No.: To be assigned

Examiner: Unassigned

Filing Date: Concurrently Herewith

Art Unit: Unassigned

Title: METHODS AND DEVICES FOR INTRAMUSCULAR STIMULATION OF
UPPER AIRWAY AND SWALLOWING MUSCLE GROUPS

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

10/529401

TIMING/FEE JC17 Rec'd PCT/PTO 28 MAR 2005

The instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: 3/28/05

By Patricia D. Granados

HELLER EHRMAN
1717 Rhode Island Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 912-2000
Facsimile: (202) 912-2020

Patricia D. Granados
Attorney for Applicant
Reg. No.: 33,683

Customer No. 26633

+

PTO/SB/08A (08-00)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Application Number	Unassigned
Filing Date	Concurrently Herewith
First Named Inventor	Christy L. LUDLOW et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	38163-0194US03

Sheet	1	of	1
-------	---	----	---

[illegible][illegible]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.